

ONGOING CONCERNS WITH GOLDCORP Inc's "HUMAN RIGHTS IMPACT ASSESSMENT" IN GUATEMALA

March 24, 2009

Rights Action forwards this 2nd letter from MiningWatch Canada concerning the Goldcorp Inc. "Human Rights Impact Assessment" (HRIA) in Guatemala. As set out in the 1st letter from MiningWatch on this issue (December 4, 2008, available from www.miningwatch.ca), Rights Action agrees that the HRIA is "fundamentally and irrevocably flawed and unacceptable".

BELOW, ALSO: PSAC WITHDRAWS FROM GOLDCORP HRIA

A statement from John Gordon, National President of PSAC (Public Service Alliance of Canada), announcing that PSAC "has withdrawn from the Goldcorp Human Rights Impact Assessment, effective March 18, 2009."

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To get on/ off Rights Action's email list:

<http://www.rightsaction.org/lists/?p=subscribe&id=3>

DELEGATION TO GUATEMALA, APRIL 12-17, 2009: Rights Action is leading an educational trip to Guatemala and the Goldcorp Inc-mining affected regions. To join this delegation: info@rightsaction.org, www.rightsaction.org.

SPEAKING TOUR IN ONTARIO, QUEBEC & EASTERN CANADA, APRIL & MAY, 2009: On May 22, 2009, Goldcorp Inc. will hold its annual shareholder's meeting in Vancouver, Canada. Rights Action is organizing a speaking tour: "GOLDCORP Inc's Open Pit Cyanide Mining In Honduras and Guatemala - Versus - Community Development, Environment & Human Rights Well-being of Indigenous and Local Populations in Guatemala & Honduras", with invitees: Carlos Amador, a community leader and member of the Siria Valley Environmental Defense Committee (Honduras), and Francois Guindon, a Quebecois activist living in Guatemala and working for Rights Action on issues related to mining affected communities in Guatemala and Honduras. To host educational events in your community: info@rightsaction.org, www.rightsaction.org.

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MINING WATCH CANADA Letter

March 16, 2009

Robert Walker, Vice President Sustainability, The Ethical Funds Company; Nadime Viel Lamare, The First Swedish National Pension Fund; Arne Löow, The Fourth Swedish National Pension Fund; Peter Chapman, Executive Director, SHARE; Helen Regnell, Research Director, GES Investment Services; John Gordon, National President, Public Service Alliance of Canada

Dear All,

RE: Ongoing Concerns with the Goldcorp Human Rights Impact Assessment

Thank you for your e-mail of March 16, 2009 with attached the revised HRIA objective and On Common Ground's Statement on Ethical Principles.

We are writing to record our deepening concern with the Human Rights Impact Assessment (HRIA) this shareholder group called for in a resolution to Goldcorp in 2008.

In light of reliable reports of increasing local conflict, stress, and opposition to the attempts of your contractors, On Common Ground, to carry out this HRIA for the Marlin Mine, we believe it is fundamentally unethical for this shareholder group to continue to support and promote this HRIA process.

On December 4, 2008 MiningWatch Canada wrote to you to express our serious concerns with the shareholder resolution calling on Goldcorp to conduct an HRIA at its Marlin Mine in Guatemala. To summarize the concerns we raised in our previous letter:

- 1) There was no consultation with, nor consent from, the affected communities ahead of the shareholder resolution being put to Goldcorp;
- 2) The steering committee that was formed as a result of an MOU between the shareholder group and Goldcorp included representation from Goldcorp, but not from the affected communities;
- 3) The shareholder group had received letters from organizations that work directly with the affected communities, and one from the affected communities in San Miguel Ixtahuacan (September 4, 2008), expressing concern and opposition to the HRIA process.

Since our letter of December 4, information about the progress of the HRIA process has deepened our concern. In particular:

The Goldcorp HRIA is not perceived locally as independent. In fact, the Catholic Church of Guatemala has commissioned another HRIA that is considered as more independent than that by the contractors hired by the Goldcorp HRIA Steering Group and paid for by Goldcorp. Already the new HRIA team is carrying out consultations with local communities on whether or not they are interested in participating and discussing with them the terms of reference and the methodology to be developed.

A recent BBC item (March 11, 2009), available through Google, quotes Professor Cassel of Notre Dame University – “However, Professor Douglas Cassel of the University of Notre Dame's Centre for Civil and Human Rights declined Goldcorp's offer to tender a bid for the HRIA. “We were not confident that the terms set down by Goldcorp would result in a full and independent picture emerging,” says Professor Cassel. It was awarded instead to a Canadian consulting company called On Common Ground. Now Professor Cassel's group is working with the Catholic Church in Guatemala on a separate HRIA that he hopes will be released at the same time as Brassington's.”

The Goldcorp HRIA steering committee and its Canadian consultants have reportedly found it difficult to persuade respected local organizations to partner with them.

There are ongoing indications that the Goldcorp HRIA is raising concerns, increasing tension and internal divisions, and facing opposition among the mining-affected communities near the Marlin Mine.

A strong statement in this regard was made by human rights advocate Gonzalo Rafael Funes Villatoro (February 26, 2009), who has also rejected collaboration with the Goldcorp HRIA. Mr. Villatoro details opposition, mistrust, and concern with regard to the Goldcorp HRIA from local mayors, local social organizations such as COPAE, and "many organizations of the social movement." Mr. Villatoro also notes that proposals by members of On Common Ground about how to push ahead with the HRIA, in spite of opposition, will lead to heightened divisions and conflict in the affected communities. For all these reasons Mr. Villatoro resigned as a human rights consultant for the project.

Concerns raised by Civil Society Organizations who work closely with the affected communities are not perceived as genuine by some members of the Steering Committee of the Goldcorp HRIA, who instead are openly questioning the motivations of these organizations.

See <http://cule.ca/wp-content/uploads/2009/02/hitting-back-feb-09-revised-pdf.pdf> (available through Google).

This document, "hitting back," raises serious concerns about whether the parties involved in the Goldcorp HRIA are still able to impartially evaluate the effects this process is having on local communities and still have the willingness to decide to withdraw from the process if it is seen to be increasing conflict and is not receiving the freely given consent for participation that the Steering Committee said it would seek.

Finally, there is too little transparency surrounding this project. The official website, <http://www.hria-guatemala.com> is not recording articles in publications expressing concern, the letters of concern that members of the shareholder group have received both from civil society organizations and from various Canadian and Guatemalan consultants that have been asked to participate, but have declined and detailed why. These documents should be made available insofar as the authors agree to public disclosure.

In light of the above, we once again call on members of the shareholder group who share these concerns to withdraw from the MOU with Goldcorp. We believe it is fundamentally unethical to ask people to participate in a process that they did not ask for, were not consulted on, have no direct say in, and which is clearly causing division, conflict, and concern among the mining affected communities.

We also request that this letter and our previous letter to this group of December 4, be posted on the official web site for this project www.hria-guatemala.com.

Finally, it is important to note that some of the members of this shareholder group are considering another shareholder resolution, this one on Barrick Gold, that would, if it goes ahead, also impact on local communities at Barrick mine sites around the world.

We urge these shareholders not to proceed with such a resolution until they have had a chance to build relationships of trust with the affected communities and can assure themselves that they have the free prior and informed consent for a resolution from these communities. It is quite apparent to us that in the absence of these conditions a resolution on Barrick will face similar challenges as the one on Goldcorp is now facing.

Sincerely,

Catherine Coumans, Ph.D.
Research Coordinator
Coordinator of the Asia Pacific Program, Mining Watch
catherine@miningwatch.ca

Copy to: Eugene Ellman, SIO; Michael Jantzi, Jantzi Research; Francois Meloche, Bâtirente; Regroupement pour la Responsabilité Sociale et l'équité (RRSE); Alex Neve, Amnesty International; Ian Thomson, Kairos Canada; Grahame Russel, Rights Action; Kathryn Anderson, Breaking the Silence; Louise Casselman, Social Justice Fund Officer, PSAC; Bishop Ramazzini

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PSAC WITHDRAWAL FROM GOLDCORP HRIA

From: John Gordon [mailto:GordonJ@psac-afpc.com]
Sent: Saturday, March 21, 2009 4:55 PM
To: ... various ...

Further to the attached, please be advised that PSAC has withdrawn from the Goldcorp Human Rights Impact Assessment, effective March 18, 2009. I wish to thank you for sharing your views and expertise with PSAC; both on this issue specifically and on human rights and social justice generally. While I know that this has been a difficult period, I look forward to PSAC working with all of you in the future; to further our human rights and social justice goals. In Solidarity, John Gordon, National President

STATEMENT FROM THE PUBLIC SERVICE ALLIANCE OF CANADA ON THE HUMAN RIGHTS IMPACT ASSESSMENT WITH GOLDCORP

March 18, 2009

In March 2008, PSAC signed on to an agreement between Goldcorp Inc. and the Shareholders' Group respecting a Human Rights Impact Assessment (HRIA) at the Marlin Mine in Guatemala. Our decision to participate in the HRIA was made in good faith and with an expectation that the HRIA would be of benefit to the local communities within Guatemala.

Since then, PSAC has become increasingly concerned with the HRIA process and its relationship with the local communities. We have been especially concerned about the lack of free and informed prior consent of the communities in regards to the HRIA, and that the interests of Goldcorp are being put before the interests of the local people. As a result, PSAC has withdrawn our involvement in the HRIA, effective immediately.

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For more information about community and Indigenous struggles in Honduras and Guatemala related to mining and other large-scale "development" issues:
info@rightsaction.org, www.rightsaction.org